


TO: Mayor Mark Kruzan
Members of Bloomington Common Council
Deputy Mayor Maria Heslin
Corporation Counsel Margie Rice
City Attorney Vickie Renfrow

FROM: Barbara E. McKinney, BHRC Director/Assistant City Attorney

RE: BHRC 2010 Annual Report

DATE: 2/3/11



Attached is the Bloomington Human Rights Commission's annual report for 2010. Please let me know if you have any questions or concerns. Thank you for your support of the work of the BHRC.

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION 2010 ANNUAL REPORT



The Bloomington Human Rights Ordinance promotes equal opportunity in employment, education, housing and access to public accommodations, regardless of race, sex, religion, color, sexual orientation, gender identity, national origin, ancestry or disability. The ordinance also prohibits discrimination in housing on the basis of familial status.

City of Bloomington
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Table of Contents

Topic	Page No.
City Policy.....	1
Commissioners and Staff	2
Chair's Statement	3
Director's Statement	4
Comparative Data	7
Breakdown of BHRC Complaints	8
Summary of 2010 Cases	9
Public Inquiries	11
Hate Incidents Report	19
Steps in Processing Complaints.....	25
Essay Quotes.....	26
2010 Budget and Expenditures	27
2011 Meeting Dates.....	28
Former Commissioners	29

POLICY OF THE CITY OF BLOOMINGTON

It is the public policy of the City of Bloomington to provide all citizens equal opportunity for education, employment, access to public accommodations and acquisition through purchase or rental of real property including but not limited to housing, and to eliminate segregation or separation based on race, religion, color, sexual orientation, sex, disability, national origin, gender identity or ancestry, since such segregation is an impediment to equal opportunity. It is also the public policy of the City of Bloomington to prohibit discrimination in housing on the basis of familial status. Equal education and employment opportunities, equal access to and use of public accommodations and equal opportunity for acquisition of real property are hereby declared to be civil rights.

The practice of denying these rights to persons because of race, religion, color, sex, disability, sexual orientation, gender identity, national origin, familial status or ancestry is contrary to the principles of freedom and equality of the City, and shall be considered as discriminatory practices. The promotion of equal opportunity without regard to race, religion, color, sexual orientation, sex, disability, gender identity or national origin, familial status or ancestry is the purpose of this Section.

It is also the public policy of the City to protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders and lending institutions from unfounded charges of discrimination.

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION

Bloomington Municipal Code §2.21.020, as amended

The Bloomington Human Rights Commission usually meets at 5:30 p.m. on the fourth Monday of each month, in the McCloskey conference room of the Showers Building, 401 N. Morton. See page 28 for a list of 2011 meeting dates. Unless otherwise specified, meetings are open to the public.

BLOOMINGTON HUMAN RIGHTS COMMISSION

2010 OFFICERS

CHAIR
Emily Bowman

VICE CHAIR
Luis Fuentes-Rohwer

SECRETARY
Beth Kreitl

COMMISSIONERS

NAME	TERM EXPIRES	APPOINTED BY
Byron Bangert	1/12	Council
Dr. Carolyn Calloway-Thomas	1/13	Mayor
Emily Bowman	1/12	Council
Dorothy Granger	1/12	Mayor
Valeri Haughton	1/12	Council
Luis Fuentes-Rohwer	1/13	Mayor
Beth Kreitl	1/13	Mayor

2010 STAFF

DIRECTOR/ATTORNEY: Barbara E. McKinney

SECRETARY: Barbara Toddy

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION STATEMENT OF THE CHAIR, 2010

In 2010, the Bloomington Human Rights Commission (BHRC) continued its efforts to help make Bloomington a community which stands against discrimination and in favor of equal opportunity for all. In keeping with this mission, we concentrated our efforts on three principal objectives: (1) investigating complaints of alleged violation of the Bloomington Human Rights Ordinance; (2) educating/informing community members of their rights and responsibilities regarding discriminatory practices and policies based on race, religion, color, sexual orientation, sex, disability, national origin, gender identity or ancestry; and (3) collecting data and issuing reports on hate incidents occurring in our community.

Although the BHRC is most visible at public events such as when we distribute activity books at the Fourth of July parade, much of the work that the BHRC does takes place behind the scenes including such activities as talking with potential complainants, answering questions from local employers and landlords about fair employment and fair housing, and making referrals to people who have issues that do not fall under our jurisdiction. One purpose of this annual report, then, is to update the community regarding the activities of the BHRC in 2010.

Five new cases of alleged discrimination were filed with the BHRC in 2010. Four of these – all of which alleged discrimination in employment – were resolved within the year. In three of these cases no probable cause was found and no appeal was filed. In one case a settlement was reached. One case that was filed in 2010 is still being investigated.

Among many educational/informational projects in 2010, the BHRC worked with the City's Council for Community Accessibility not only to help make Bloomington's businesses more accessible, but also to implement a special needs dispatch system that will let local emergency workers know when citizens calling 911 have disabilities of which such workers should be aware. The BHRC also collaborated with the City's Commission on the Status of Women to organize the annual Women's History Month Lunch, which was attended by more than 400 people. Moreover, the BHRC contributed funds to support events held by the King Commission and the Commission on the Status of Black Males. Additionally, BHRC members competed in the annual VITAL Quiz Bowl which raises funds to support the tutoring of adult learners. BHRC members also interacted with community members as part of staffing tables at several community events in 2010. The BHRC also sponsored its annual essay and art contest for local school-age children, asking younger students to reflect on the theme "Being Kind to Each Other; The Best Example I Know" and older students to consider "Civil Conversations: Getting Along In Our Diverse Community." At the 2010 Fourth of July parade BHRC members (and friends) distributed more than 1,400 diversity-focused activity books to children and adults along the parade route. Finally, the BHRC worked with Bloomington United to organize the community's response to the spate of anti-Semitic incidents that occurred in 2010 on both the Indiana University campus and in the City.

Despite recent anti-Semitic and other hate incidents, Bloomington has a long-standing tradition of being an open and welcoming community. This tradition is bolstered by the efforts of many organizations and people, including the BHRC. If you want to be a part of this vital work, please contact us by calling 349-3429 or by e-mailing human.rights@bloomington.in.gov.

Respectfully submitted,

Emily A. Bowman
Chair, BHRC

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION

DIRECTOR'S REPORT 2010

In 2010, the City of Bloomington Human Rights Commission continued to meet its two central, and related, objectives: to investigate complaints in a fair and timely manner and to undertake a variety of educational activities. Investigating complaints is always our top priority, but we know that the more educational programs we organize, the fewer complaints we likely will have to investigate.

DISCRIMINATION COMPLAINTS: In 2010, we had five new complaints filed with us. As has long been our practice, the volunteer members of the commission continued their sometimes difficult task of investigating these complaints and deciding if there was probable cause to believe that illegal discrimination had occurred. The job of the investigating commissioner is to weigh complicated and conflicting testimony, evaluate sometimes voluminous documentary evidence and apply the relevant law. The commissioners approach this responsibility with the serious dedication it requires, and the community is the better because of their work. On average, we closed cases within four months.

Four of our new cases alleged discrimination in employment; two of the employment cases alleged race discrimination and two alleged disability discrimination. The fifth case alleged discrimination in public accommodations on the basis of race and/or national origin and/or sex.

We resolved six cases in 2010, including two pending from 2009. We (the investigating commissioner and I) found no probable cause to believe discrimination occurred in three cases, none of which was appealed. Two cases were withdrawn by the complainants and transferred to the EEOC and one was settled. One case is still pending.

As in past years, we continue to receive many complaints about alleged discrimination that occurred outside of our jurisdiction. In these cases, we often refer the complainant directly to the agency that has jurisdiction. Time permitting, we meet with the complainant, prepare a complaint and file it with the appropriate agency. In 2010, we referred approximately twenty-two complainants directly to the Equal Employment Opportunity Commission (the federal civil rights agency) and filed ten complaints with that agency. We referred approximately eight people directly to the Indiana Civil Rights Commission (the state civil rights agency) and filed two complaints with that agency.

WAGE ISSUES: Pursuant to the Bloomington Human Rights Ordinance, all City bidders with bids of more than \$10,000 are required to submit affirmative action plans to the BHRC staff for approval prior to the bid opening. In 2010, I reviewed and approved 73 affirmative action plans. I found one plan to be unacceptable under our rules. The bidder successfully appealed my finding to the Contract Compliance Committee of the BHRC. Last year, the Common Council approved the Responsible Bidders Ordinance,

which requires covered bidders to include sexual orientation and gender identity as protected categories in their affirmative action plans.

The BHRC staff also is responsible for making sure that City contractors pay their employees common wages for work done on covered City projects. Almost all federally-funded projects are covered by common wage laws pursuant to federal law; all City-funded projects costing more than \$150,000 are covered as well, pursuant to state law. In 2010, I attended eight preconstruction or pre-bid conferences, explaining to contractors their responsibilities under applicable laws. Barbara Toddy monitored compliance with these laws by answering questions from contractors and employees, reviewing wage documentation forms, writing letters to employees and conducting on-site visits. She closed seven files in 2010.

This year was the fifth year the Bloomington Living Wage Ordinance (LWO) was in effect, and the BHRC staff was assigned the job of monitoring compliance with this new ordinance. Thus far, monitoring compliance has largely been a matter of answering questions about the applicability of the ordinance, obtaining required documentation from contractors and updating the web site. To date, no one has filed a formal complaint alleging violations of the LWO.

ACCESSIBILITY ISSUES: I serve as the City's Americans with Disabilities Act compliance officer, making sure that the City, as an employer, a governmental entity and a provider of public accommodations, is meeting or exceeding its requirements under the ADA. In addition, I try to be a resource for citizens wanting to know what the law requires and for businesses with questions about their responsibilities. Under our accessibility-complaint system, people who believe a local entity is not complying with the ADA explain their concerns to me. If I agree that there is a question about the entity's compliance with the ADA, I send the entity a letter, explaining the law and its requirements. I also explain that I do not enforce the ADA; the Justice Department or another federal agency (depending upon the nature of the complaint) does. If the problem is not resolved, I refer the matter to the appropriate federal agency. This program has been fairly successful. Many respondents make the necessary changes. A continuing problem, however, is that the federal agencies are backlogged, and if complaints must be filed with them, enforcement may be slow. Therefore, we work hard to make businesses aware of ADA requirements before they build or remodel to avoid having to file complaints after the fact. It's less expensive to incorporate accessibility into plans than to retrofit later, and doing so makes more businesses more accessible to our citizens with disabilities. I've also been working on the special needs dispatch program, which is helping first responders know when callers have disabilities and may need specific services. This new system went into effect in the fall of 2010 and already more than 50 people have signed up.

In my role as an assistant City attorney, I work with the Human Resources Department to make sure that the City is complying with applicable fair employment laws. I review our policies and procedures, provide legal assistance with internal grievances and when necessary, represent the City when formal complaints have been filed.

EDUCATIONAL PROGRAMS: Our monthly newsletter, "Rights Stuff," completed its eleventh full year of publication in 2010. In the past, we mailed this newsletter to approximately 150 businesses, attorneys, social service agencies and individuals in Bloomington and throughout the state. In 2010, we went green and now distribute these via e-mail. We also leave copies at coffee houses, book stores and at the county library. Its purpose is to inform readers of recent trends in civil rights law and to let the community know what we do. We continue to receive a good response from our readers, including other human rights commissions in Indiana. We also regularly update and distribute our brochures on a variety of topics.

As in past years, the BHRC continued to work with like-minded groups to sponsor activities that we believe will enhance civility in our community. Some of these activities included sponsoring the Women's History Month Lunch in March, competing in the VITAL Quiz Bowl in April, co-sponsoring the Council for Community Accessibility Awards Ceremony in October, staffing a table at the Multicultural Fair in October, working with Bloomington United and the Cultural Lens project throughout the year, and contributing to the King Commission and the Commission on the Status of Black Males, among others.

2010 was the fourth full year that the gender identity amendment to the Bloomington Human Rights Ordinance has been in effect. The amendment prohibits discrimination on the basis of gender identity to the extent provided by law. We've put together a brochure and guidelines on the topic which have been well received by other commissions.

I worked with Monroe County officials on several projects this year, including providing assistance on creating a county human rights commission and creating a domestic partnership registration program.

Respectfully submitted,

Barbara E. McKinney
Director, BHRC/Assistant City Attorney

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION

2004 - 2010 Comparative Data

	2004	2005	2006	2007	2008	2009	2010
New complaints within BHRC jurisdiction	5	8	4	5	6	9	5
No probable cause findings issued	2	2	3	4	2	2	3
Settlement agreements reached	0	4	0	0	2	1	1
Complaints withdrawn before determination issued	0	1	1	0	0	1	2
Cases still pending	3	2	1	0	1	2	1
Complaints drafted and forwarded to EEOC	20	9	8	13	12	9	10
Complaints drafted and forwarded to ICRC	0	0	2	4	2	1	2
Complaints drafted and forwarded to HUD	0	1	0	0	0	0	0
Complaints transferred to appropriate federal agency after partial investigation	0	2	0	1	0	2	0
Complaints dismissed for failure to cooperate	0	0	1	1	1	2	0
Complaints drafted but never signed	1	4	1	2	1	0	0
Affirmative action plans reviewed	67	70	72	100	55	89	73
Preconstruction/prebid conferences attended	4	6	7	12	3	5	8
Employer seminars and community speeches	6	9	4	8	10	9	13

**BREAKDOWN OF BHRC COMPLAINTS
2004 - 2010**

	2004	2005	2006	2007	2008	2009	2010
EMPLOYMENT	4	8	3	3	4	7	4
Race discrimination	0	1	2	0	0	3	2
Disability discrimination	1	1	1	0	0	1	2
Sex discrimination (includes sexual harassment)	2	2	0	0	3	0	0
Sex & disability and/or retaliation	0	0	0	1	0	0	0
Race & sex	0	1	0	0	0	0	0
Sexual orientation & disability	0	0	0	1	0	0	0
Race and/or national origin	0	1	0	0	0	0	0
Religion	0	0	0	0	1	1	0
Disability and/or race	0	1	0	0	0	0	0
Sex/religion/disability/retaliation	0	0	0	0	0	1	0
Sex/religion/retaliation	0	0	0	0	0	1	0
Sexual orientation	1	0	0	0	0	0	0
Disability and/or national origin	0	1	0	0	0	0	0
Sex/sexual orientation and/or religion	0	0	0	1	0	0	0
Sex and/or disability	0	0	0	0	0	1	0
Race, national origin, disability, retaliation	0	0	0	0	0	0	0
HOUSING	0	0	0	1	1	1	0
Sex discrimination	0	0	0	0	0	0	0
Disability discrimination	0	0	0	0	0	0	0
Race discrimination	0	0	0	0	0	0	0
Familial Status discrimination	0	0	0	0	1	1	0
Sexual orientation	0	0	0	0	0	0	0
PUBLIC ACCOMMODATIONS	0	0	0	0	1	2	1
Race discrimination	1	0	0	0	1	0	0
Gender identity	0	0	0	0	0	1	0
Sex	0	0	0	0	0	0	0
Sex/race and/or national origin	0	0	0	0	0	1	1
Sexual orientation	0	0	0	0	1	0	0
Disability	0	0	0	0	0	1	0

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION

SUMMARY OF 2010 CASES

BHRC DOCKET #0632 and #0633: Two people, a man and a woman who were both fired by the same store, filed discrimination complaints. The woman alleged discrimination on the basis of sex and/or religion as well as retaliation. The man alleged discrimination on the basis of sex and/or disability as well as retaliation. Both complainants were represented by the same attorney, who did not cooperate with the BHRC's request for additional information. He advised his clients to withdraw their BHRC complaints so they could get a right to sue letter from the EEOC and they did. (Complaints filed in August, 2009; withdrawn by complainants in April, 2010; investigated by Commissioner Haughton.)

BHRC DOCKET #0636: An African American man who worked for a fast food restaurant said that he was scheduled for fewer hours than his white counterparts and that he was fired for no legitimate reason. The restaurant said his schedule was based on his availability, which was limited, and that his termination was based on his attendance problems. Nevertheless, the restaurant offered to settle the matter for \$500.00. The complainant asked for \$5,000; the restaurant then offered \$650.00, and a settlement was reached. (Complaint filed in April, 2010; BHRC approved settlement on 6/29/10; investigated by Commissioner Kreitl.)

BHRC DOCKET #0637: A woman with a disability worked for a grocery store for ten years. After she fell twice in a few months, her employer put her on extended leave with some pay and benefits. She filed a complaint alleging discrimination on the basis of disability. Investigation showed that her disability posed a safety risk that could not be reasonably accommodated. (Complaint filed on 6/24/10; no probable cause decision issued in October, 2010; not appealed; investigated by Commissioner Granger.)

BHRC DOCKET #0638: An African American woman said she believed her accountant had made a mistake on her tax return. When she questioned the accuracy of her return, she said the office staff was verbally and physically abusive. She filed a complaint alleging race and/or national origin and/or sex discrimination in public accommodations. Accountants said that complainant behaved irrationally and violently when she believed accountants had made a mistake. They denied doing anything other than taking steps to remove a disruptive client from the premises. Investigation revealed no evidence to show the problem was caused by bias against the complainant's sex, race and/or national origin. (Complaint filed in June, 2010; no probable cause decision issued in October, 2010; not appealed; investigated by Commissioner Haughton.)

BHRC DOCKET #0639: An African American woman who worked for a fast food restaurant said her employer had mistreated her. She said she was written up when she had to go home sick and then fired for not using her headset and for using her cell phone when she was working at the drive-up window. She said wearing the head set was not required and denied having used her cell phone at work, but surveillance video showed

everyone else working the window wore a headset and seemed to show her using her cell phone at work. (Complaint filed in July, 2010; no probable cause decision issued in October, 2010; not appealed; investigated by Commissioner Bowman.)

BHRC DOCKET #0640: A man with a disability said he was repeatedly verbally harassed by his supervisors. He complained but nothing was done. When his supervisor called him names pertaining to his disability, he quit and filed a discrimination complaint. (Complaint filed in November, 2010; investigation pending; being investigated by Commissioner Calloway-Thomas.)

CITY OF BLOOMINGTON HUMAN RIGHTS COMMISSION

PUBLIC INQUIRIES

The Bloomington Human Rights Commission, by ordinance, has a fairly limited jurisdiction. We are authorized to investigate complaints of alleged discrimination on the basis of sex, race, sexual orientation, national origin, color, gender identity, ancestry, religion or disability in employment, public accommodations, education or housing, as long as the complaints arose within the City limits of Bloomington within the past 180 days. We are authorized to organize educational efforts, such as seminars, talks, brochures, awards and essay/art contests, to combat discrimination. We may join forces with like-minded groups to achieve our joint goals. Fulfilling our mandate under the Bloomington Human Rights Ordinance keeps us busy.

However, perhaps because of the broad name of our commission, we often receive calls about matters that are not within our jurisdiction. We try to be familiar with the applicable laws and community resources, and we try to give callers an appropriate referral or other helpful advice. Again this year, we received many calls, letters or e-mails which did not lead to complaints being filed with our office. Some people sought general legal information; some needed to be referred to other agencies; some seemed to need only a sounding board. What follows is a categorical breakdown and a summary of some inquiries for the purpose of illustration.

CATEGORICAL BREAKDOWN

Sexual Orientation/Gender Identity: Callers often had questions or concerns about sexual orientation and/or gender identity discrimination. These callers included students wanting the definition of "sexual orientation" or "gender identity" and gays, lesbians, transgender individuals and employers wanting to know their rights and responsibilities under our ordinance. Again this year, we had several calls from communities considering implementing their own sexual orientation and/or gender identity ordinance, and were glad to provide assistance in this area.

Americans with Disabilities Act: We receive many calls about the Americans with Disabilities Act. Most of the calls are from employers or employees wanting to know their rights and responsibilities under this federal law or from contractors wanting information on ADA regulations. The BHRC director, as the ADA compliance officer for the City, is quite familiar with the ADA and is able to give informed general advice and to make referrals when necessary. The City's Accessible Bloomington web page helps answer questions as well.

Housing Code Violations/Landlord Tenant Disputes: Many callers mistakenly believe we have jurisdiction over housing code problems or landlord/tenant disputes that don't involve discrimination. We refer such calls to the City's code enforcement office and/or to a private attorney.

Wage Disputes: Employees who cannot obtain their last paycheck or pension benefits often call us. These cases do not usually have a discrimination element and are referred to the State Labor Board.

FMLA: People often call us to learn about their rights under the federal Family and Medical Leave Act. We answer general questions when we are able and refer callers to the Federal Wage and Hour Division of the Department of Labor for additional information.

Workers' Compensation: We received several calls about workers' compensation in 2010. Our staff lacks expertise in this area and refers all such calls to private attorneys and the State Labor Board.

Other: Many of our calls do not fall under any of the categories. Some of those calls are described below.

OTHER INQUIRIES

E-mail writer said that he had been using "ADA in Illinois" but they told him not to call anymore, so he wanted to file a complaint with us instead about doctors and lawyers not paying for interpreters for him. He is from Northern Indiana; referred to Department of Justice, local human rights commission and/or Indiana Civil Rights Commission.

Caller, a member of a minority group, said that his employer is investigating him. He was accused of having spilled some gasoline intentionally outside of his supervisor's office. He did not think he had spilled any, and if he did, it was not intentional. At this point, not clear that he will suffer any consequences for his alleged actions. Later, called back; he had been fired for spilling gasoline deliberately; drafted complaint and filed it for him with the EEOC because of a conflict of interest.

Caller asked if he needed a permit to sell candy on the street for a fundraiser for a nonprofit group; referred to mayor's office for exemption certificate.

Caller had questions about what is required of businesses regarding breaks and overtime; referred to the State Labor Board.

Caller had a litany of problems with her landlord, her attorney and police. She said that her landlord said he preferred to rent to families, which is not illegal under the fair housing act. She said that the police had refused to protect her against her parents, who keep reporting that she is suicidal; referred to the chief of police. She said that her landlord might know about her religion (something to do with being a direct descendant of Jesus and the number of letters in her name) because of postings she has made on the internet, but acknowledged that she could not prove that. She said her lawyer had not done what she wanted him to do and now wanted her to pay his fee. Tried to make appropriate referrals.

Caller, an African American man, said that he had been in a state government office when a white woman, another patron, kept staring at him and mumbling under her breath. She also followed him around and he told her, loudly, to stop bothering him. She complained and the head of the office, without investigation, told him to leave the premises. Referred to the Indiana Civil Rights Commission to file a complaint of race discrimination.

Caller said that his former employer required him to attend its medical clinic, and he thought he had been mistreated there. He said he had been mistreated by various agencies and entities for decades and no one will help. He said he called a family meeting of his 17 siblings and none of them would help. He said he didn't learn to read until after high school; when we said that was quite an accomplishment to learn to read after reaching adulthood, he said it would have been if it had been done the right way, but apparently little in his life had ever been done the right way. Tried to make referrals.

Caller said that her employer divulged her confidential medical information to her co-workers. Referred to Health and Human Services for HIPAA complaint.

E-mail writer, an employee of a nonprofit agency outside of the City limits, said she was revising her agency's personnel policy and asked where employees who feel discriminated against should go; Indiana Civil Rights Commission and/or Equal Employment Opportunity Commission.

Caller said he was being mistreated by his nursing home. They haven't moved his soap dispenser, despite his many requests to do so; they took his tools out of his room because they thought the tools were dangerous, etc. Referred to the state agency that investigates complaints against nursing homes.

Caller asked if we knew about the well-known local person whose name the caller didn't know, but whom she had been told is known to "everyone in the community" as being "violently anti-Semitic." No.

Caller felt he was being discriminated against because of the prices that a cab company charges which he felt were too high. Referred to Board of Public Works, which has limited regulatory power over local cabs, but does not regulate fares.

Caller said she worked for a fast food company for many years. She reported problems at her restaurant to upper management, including drug use, theft and supervisors dating subordinates. After she reported these alleged offenses, she was transferred to another restaurant over her objection and then fired for a reason she felt was bogus. She said she was not treated differently because of her race, sex, etc., but because she had reported problems to management. Suggested she report her situation to upper management again and to talk to a private attorney.

Caller said she is 87 years old and is very happy with the location of her apartment. She does not want to move. But the woman upstairs with a wooden leg thumps the floor "all

day and all night” and she wants someone to make her stop. Landlord said he can’t do anything about it. Not a civil rights matter; referred to private attorney who may be able to help her enforce her right to quiet enjoyment of her rental property.

Visitor to the office was very upset because his granddaughter wanted to rent an apartment but the landlord won’t rent to students. Not a protected category under fair housing laws. He thinks law should be changed; referred to state representative and senator.

Caller said he wanted to make an appointment to discuss employment discrimination against him. Refused to say what kind of discrimination he had suffered or where. Asked how the BHRC works and what categories it covers; explained. He said he would “process the information” and consider calling back. He later called back, scheduled four appointments but never showed at the right time.

E-mail writer said she had gotten an e-mail saying that a new salesman would offer discounts to people of his community. From context of e-mail, it seemed possible that “community” meant a specific minority community, and offering discounts to one minority group could be a violation of the Bloomington Human Rights Ordinance. E-mailed salesman, who said what was meant was “Bloomington community,” and attributed the confusion to limited English skills of the person who distributed the message.

E-mail writer said he was writing on behalf of a person who was, he said, arrested without foundation. The police report said that he was arrested for a violent act, which was not the charge. He said the man lost his subsidized housing and wanted his housing back and his bail money back. Not an issue that the BHRC can handle; referred to Board of Public Safety and his public defender.

Caller wanted to know if we cremated dogs. Referred to animal shelter.

Woman for whom we had filed an EEOC complaint called about how to deal with the EEOC. She said her former employer had requested an extension of time to file its response. After the deadline, she talked to her EEOC investigator. He said he would call her back that afternoon, but did not ask her for her name or number. She said that three weeks later, he had not called her back, and asked if it would be rude of her to call him. No.

Landlord asked what he was required to do to accommodate tenant with a disability, and tenant’s visitor with a disability; answered questions.

E-mail writer had questions about service animals; answered questions.

E-mail writer had questions about legality of using motorized wheelchairs on the streets; tried to answer questions and made referrals.

Caller asked if people have to wear helmets while riding bikes in Bloomington; yes, if they are under 18.

Caller, an African American man, said that he keeps seeing contractors doing government contracts and he never sees any minority workers, just Mexican workers. Tried to explain the City's affirmative action requirements.

Caller said her boss has financial and personal problems and has become rude and obnoxious. She said he treats all of his employees, all of whom are female, badly. Not in City limits. Not clear this is sex discrimination. Gave advice; caller may file complaint with ICRC if things don't improve.

Caller said that when she gives a friend a ride home to her trailer in a trailer park, the landlord yells at her. She said sometimes she is driving the wrong way but she didn't think he should yell at her. No evidence of race, sex, etc. discrimination. Gave advice.

Caller said her adult son had been hurt at work. His employer had signed the forms so that his doctor will get paid under workers' comp, but he won't sign the forms so that her son will get paid while he can't work. Referred to workers' comp board and to private attorney.

Caller asked if landlord may legally refuse to rent to students; yes.

Visitor to office, for whom we had filed a sex discrimination complaint for a complaint not in the City limits, said she went to apply for unemployment benefits. She saw her ex-boss there, apparently filing for unemployment benefits himself. He is the owner of a small business; she said he usually gets paid in cash for his work. She wanted to report his alleged fraud to us. She had already reported this to the unemployment office staff, so there was nothing more we could do.

Caller said that his wife has a mobility impairment. She went to get her hair cut, and said there was no curb cut from the parking lot to the sidewalk, making it difficult for her to get into the business. Went and checked; there is a curb cut adjacent to the accessible parking, two doors down from the hair salon; we let caller know that.

Caller, a landlord, had questions about accessibility requirements for rental properties. Answered questions.

Caller said she had been fired from her job of three years unfairly. She said her supervisor had told her she could not eat at the work site and then had fired her the next day. No evidence of race, sex, etc. discrimination. Referred to her supervisor's supervisor and to Indiana Workforce Development.

Caller, for whom we had helped file a complaint with the EEOC against his former employer which is not in the City limits, called and asked if it was legal for him to drop his complaint. We told him yes, although in rare circumstances the EEOC might want to

continue its investigation despite his withdrawal. He also asked if he could have his own lawyer and go to federal court; yes, he could request a right to sue letter from the EEOC, hire a lawyer and take his former employer to court. He said he wasn't sure what to do because he had not heard from the EEOC in days; explained that was not unusual.

Visitor to office complained about offensive graffiti near City Hall that targeted police officers and courts; owner of property agreed to paint over the offensive words.

Caller, who has a pending complaint with the EEOC, said that he had filed his complaint six months earlier and the EEOC had not yet made a decision. He was frustrated. Told him if he wanted, he could request a right to sue letter, and go straight to court. He said he would tell his attorney to do that.

Visitor to office said she had heard of a case in Southern Indiana where Latinas work the third shift in a factory. Several times, the supervisor has claimed he has found a used sanitary napkin on the floor of the women's restroom, and requires all of the women to pull down their pants and underwear so he can see if they are menstruating. Referred to Indiana Civil Rights Commission and local police.

Caller, an attorney, said that he had a client whose employer would not provide his opposite-sex partner health insurance benefits because they were not married. He asked if that was a violation of the Bloomington Human Rights Ordinance. Marital status is not a protected category under local, state or federal law. He said that if an employer wouldn't provide health insurance to a same-sex partner, that would be a violation of the BHRC, and thus refusing to provide it to opposite-sex straight couples is illegal. We told him it would be hard to say they were discriminating on the basis of sexual orientation, because the employer provides insurance to straight married couples, but said the client could file a complaint if he wanted to.

Caller, for whom we had filed a complaint with the EEOC alleging age discrimination, said that the EEOC had told her they could not prove that her employer had discriminated against her because the man who replaced her is older than she. She said the EEOC was strongly encouraging her to sign a settlement agreement which would give her only a positive job reference from her previous employer, but nothing else. Suggested she make a counter offer, asking for some compensation, to give her time to talk to a private attorney.

Caller said she was trying to get a bill passed about neighborhood bullying and harassment and asked for data. Referred to BPD and CJAM.

Caller said he had been evicted, possibly for racial reasons. He did not want to file a race discrimination complaint but wanted help with the court proceeding. Referred to Student Legal Services.

Caller said she was calling on behalf of a friend, a law student doing pro bono work in India. She wanted to get his parking tickets waived because of his work. Referred to assistant city attorney who handles parking cases.

Caller, not from Bloomington, said his employer had reduced the hours of all employees who had military pensions from 40 hours to 32 hours. Referred to Office of Federal Contract Compliance Program to file complaint. (Federal law prohibits employers with federal contracts from discriminating against veterans.)

E-mail writer said that a tenant at his building used "hateful speech," targeting people based on sex, race, religion and sexual orientation. Suggested he complain to landlord, CJAM and if appropriate police, and to call us back if problem persists.

Caller said she had hired a Bloomington company to print a book she had written. She did not feel they treated her fairly and believed it might have been because of her race and/or national origin (she lives in England). She considered herself to be the company's employer, but her issue is more of a contractual issue than an employment issue. Referred to private attorney.

Caller said he had called the BHRC several months earlier to report that a local large business employs, as far as he can tell, only white employees. He did not feel that such a "white power" organization should be tolerated in Bloomington. He asked if we had done anything in response to his call. We told him we had written a generic letter to the company offering fair employment training and we told him we had seen minority employees at this business. He was very grateful for our services.

Visitor to office said he had received a letter from a bank saying he had been denied a loan because he is not a citizen. He said he was a citizen and could prove it. McKinney was not in the office when he stopped by; left him a message, and let City employee who had brought him to the BHRC office know we would be glad to talk to him.

Caller told Toddy that he wanted to make an appointment but would not give her his name, just his phone number. McKinney called back and caller said he wanted to cancel his appointment. Told him he had not made an appointment; he was adamant that he had, but he couldn't say when it was scheduled. Agreed to cancel his "appointment."

Caller said he wanted Governor Daniels' address. Gave him the address.

Visitor to office said that he had been denied Medicaid assistance after he separated from his wife for the fifth time in one year. He thought it would be quicker to sue them than to appeal and wanted number of the Indiana Civil Liberties Union. Told him that Indiana Legal Services might be the better referral, gave him that phone number; told him that appealing would likely be quicker than suing, and referred him to VIM in the meantime.

Caller said that he is a cross dresser. At his job, he dresses as a man, but some co-workers know what he does on his own time. His manager told him that if he ever stopped by the business dressed as a woman, she would fire him. He didn't know if he should take this as a joke or not. Talked about gender identity ordinance; suggested he talk to his manager's manager; offered to provide fair employment training for supervisors.

Caller, from Manhattan, Kansas, said his town was considering adding sexual orientation and gender identity to its human rights ordinance. Answered questions about BHRC's experience with these issues and sent him a copy of our history of sexual orientation and gender identity cases.

Caller said that she had been referred to us by a private lawyer who knew we could help her. She did "something wrong" at work and pursuant to an agreement, was paying her employer back. She said the agreement required her employer to keep the matter confidential, but now her current employer is calling her former employers and telling them about what she did. She said this was discrimination and/or defamation. She had no evidence that she was being treated differently because of her race, sex, etc. It's not defamation to tell the truth. Referred her to a private lawyer who might be able to pursue a breach of contract claim.

Caller said she was an Ivy Tech student and she was doing a paper on hate incidents. Answered her questions and gave her a copy of our last hate incidents report.

E-mail writer said that he and a friend went to a buffet. He ate; his friend just had water. The server tried to charge them for two buffet meals, saying at first that because the friend had water, she had used the services of the restaurant and thus owed for the meal. The couple asked to talk to the manager, who at first said he had seen the woman eating. But then suddenly the manager apologized and said he realized she had not eaten anything. They were not charged. The e-mail writer said he and his friend felt "uncomfortable and humiliated." No evidence to show what motivated the attempted charge, whether it was an innocent mistake, a policy to charge anyone who sat at the table to avoid having people share one buffet price or some sort of illegal discrimination. Gave advice.

Caller wanted to know if she had to provide an accessible space for a tenant who had requested it. She had doubts that the tenant had a disability, but the tenant has the appropriate decal from BMV. Yes, she has to provide. She could request a letter from the tenant's doctor saying the tenant needs an accessible space near her door, but the fact that she has the BMV decal shows she has some sort of disability.

Caller said she had worked for a variety of employers in the last few years after having worked for more than 20 years for a union employer. She said her more recent employers routinely violate employee rights in a variety of ways by, for example, changing job workplace and terminating people without sufficient cause. Explained the differences between union and non-union employment.

BLOOMINGTON HUMAN RIGHTS COMMISSION
HATE INCIDENTS REPORT
July 2009 – June 2010

In August 1990, the Bloomington Common Council unanimously approved an amendment to the Bloomington Human Rights Ordinance which gave the Bloomington Human Rights Commission the explicit authority to collect data and issue reports on hate incidents in our community. We accept reports from police departments, individuals, groups and the media. We also accept anonymous reports. Our goal is not to investigate these incidents, as we do not have the training, authority or resources to conduct these types of investigations. Rather, our goals are to serve as a referral resource and sounding board for victims, to work with community groups to coordinate responses to hate incidents when appropriate and to make our community more aware of the prevalence of hate incidents through issuing these annual reports. [Note: In the past we have not used the specific offensive language in these reports. We now use the actual terms when known, to avoid confusion and to convey better the true ugliness of these incidents.]

In July, 2009, we received a report from BPD about a battery. A white woman said she gave a ride to an African American man whom she knew only by his nickname. She took an hour to pick him up because she wanted to be sure she was sober enough to drive, and he complained about the delay. When she let him out of the car, she tried to give him a hug to patch things up between them. She said he was very “mean and hateful to her,” calling her “white trash.” In exchange, she called him “nigger.” He then pulled down his shorts and urinated on her. At that point, she began to “freak out” and screamed “nigger” at him about 20 times before she got back in her car. She said when she got back in her car, a second black man came over and punched her in the face. Then the first man punched her in the face as well and took two cell phones that were in her car. She didn’t report the incident for two days. She was not in much pain after being hit in the face, but the next day, when she woke up with a bloody nose, she attributed that to the strikes in the face she had received. She said that she became “a little bit angry” at the fact that the first man had urinated on her. The more she thought about it the more upset she became, so she called the police. BPD attempted to investigate.

In July, 2009, we received a report from BPD about vandalism. A gay man told police that someone had knocked over his bench, and he believed his neighbors might have done it because of disputes they had had. The neighbors had made disparaging comments about his sexual orientation. There was no evidence showing who had knocked over the bench, which was not damaged.

In August, 2009, we received reports from the Safe and Civil City office of multiple occurrences of graffiti vandalism in the downtown area, including “FU Honkies.” The graffiti was removed.

In August, 2009, we received a report from BPD about graffiti. A man reported that someone had painted “14” and “88” on the back of his garage. “14” possibly refers to the 14 words in the creed of the skinhead organization, “We must secure the existence of our

race and a future for white children.” “88” possibly refers to the eighth letter of the alphabet, H, indicating “Heil Hitler.” BPD investigated.

In August, 2009, we received a report from BPD about an assault. A 17-year-old white woman said as she went into a store, she saw a biracial woman in the driver’s seat of a car in the parking lot. When she came out, the car backed up to leave; the people in the car flipped her off and cursed her as she walked by. She said she asked them what their problem was because she didn’t know them. She said she tried to go back to the store, but first told her mother, who was waiting for her in their car, to tell the people in the other car to stop harassing her and to leave. She said her mother tried to tell them to leave, but ended up engaging in a screaming match. Many profanities were spoken on both sides, including the mother and daughter repeatedly calling the driver “nigger.” The driver got out of the car, hit the mother with her fist, breaking her nose, and left. A witness said that before the mother was hit, the mother repeatedly yelled, “nigger,” “get out of here you nigger” and “you motherfucker.” BPD could not find the people in the car that left. The mother was cited for provocation, a Class C infraction, for screaming profanities at the people in the car.

In August, 2009, we received a report from BPD about vandalism. A woman reported that someone had painted the following words on her house: “I kill you,” with two lines under “you;” “fuck you,” again with emphasis on “you” and “hipster faggots burn in hell.” She said that a male roommate, a gay man, had recently moved out, and thought the graffiti might have been directed at him. BPD investigated.

In August, 2009, we received a report from BPD about vandalism. A man reported that someone had keyed his car and slashed his tires. They wrote the word “fag” in large letters across the hood. BPD investigated.

In September, 2009, we received a report from BPD about an assault. A white man and a black man had a dispute. The white man called the black man “nigger” and they hit each other. The black man, who caused more serious injuries, who had an outstanding warrant and who was publicly intoxicated, was arrested.

In September, 2009, we received a report from BPD about an assault. A man said that he and his friends had been playing football. The ball went over the fence; they climbed over the fence to retrieve it. When they climbed back over the fence, a man they didn’t know who was sitting in a nearby car called one of the football players a “faggot.” The man who reported the incident asked the stranger why he had called his friend “faggot.” The stranger got out of his car, hit the man who reported the incident in the face several times, kicked him once, got back in his car and drove away. BPD could not find the man who committed the offense.

In September, 2009, we received a report from BPD about harassing phone calls. A man said that someone called him at 4:20 a.m. and asked for a name he did not know. He told the caller, “Sorry, wrong number.” The caller said, “You Taliban son of a bitch, I’ll come cut your throat.” There was no number on his caller id. He did not recognize the voice

and did not know if this was just a random drunk call or a specific threat. The man had a Mid-Eastern sounding last name. BPD provided extra patrol.

In October, 2009, we received a report from BPD about an assault. Three white men said they were walking down the street when they saw a white man and a light-skinned African American woman near the car. One of the three men said he thought the couple was neighbors of his, so he tried to talk to them. The couple became irate, telling him to "fuck off" and "get out of here." The man threatened the three men, saying he would kill them. He went to his car to get his gun, but he didn't come back with a gun. Other passersby tried to calm the situation down. The African American woman told a passerby, "Shut the fuck up you fucking bitch! Get the fuck out of here!" The passerby asked the woman what her problem was, and the woman punched her twice in the face. By the time police arrived, the couple was gone. BPD was able to find the woman, who said that the men who approached her and her friend were intoxicated and called her by the name of an African American actress. When she tried to ignore them, they began yelling "nigger" at her. This upset her and she pushed them; they pushed back. She said her friend did say he had a gun, but he didn't; he was just trying to get the men to go away. She said the woman had told her, "Get out of here or I'll kick all of your ass." She didn't remember if she had punched her, but said she might have. The woman, who was a juvenile, was referred to juvenile authorities.

In October, 2009, we received a report from BPD about an assault. Several Korean friends went to see a movie. A woman in the group said that a white man in the lobby looked at one of her friends and said he was gay, and said something about the group being Asian and Chinese. She said he then made eye contact with her and mocked her. She told her friend what the white man had said, and this upset him. They were all going to the same movie. The Korean man went up to the white man in the theater and grabbed him by his shirt collar, scratching him. The Korean man said he wanted the white man to apologize. Instead, the white man told him to get his hands off of him, and if he wanted to fight, they needed to go outside. They all went through the lobby, where the white man told the manager what had happened, and the manager called the police. The white man said he had made a comment about a funny look on the Korean woman's face, but said he had never talked to her. The Korean man said he was very upset by the comments that had been allegedly made, that he had been disrespected in the past, and that all he wanted was an apology. The Korean man was charged with battery.

In November, 2009, we received a report from BPD about an assault. Two men, a white man and a black man, had been helping the white man's father move. Both were in a parking lot, in separate vehicles. The white man called the black man "nigger." The black man got out of his truck and brought one of his arms back in a way that made the white man think he was going to get hit, so he hit the black man in self-defense. A fight then followed. The white man said the black man hit him, but the police officer saw no injuries. The black man told the officer that their vehicles were in the parking lot because the white man did not want the black man in his residence. He said he tried to hit the white man, but did not. The white man was cited for provocation and battery.

In November, 2009, we received a report from BPD about intimidation. A man said he saw a woman on her balcony screaming at children below. He heard her call them "niggers." The children told her not to use that term. They told her they were going to tell their mother, and she told them to bring their mom and she would kick their "mom's ass and I'll kick your ass too." One of the children was 15 and pregnant. She was concerned for herself and her baby and went inside to get her mother. BPD talked to the woman who had been on the balcony, who told a conflicting story. She said the word "nigger" might have come out of her mouth. She said the mother had threatened to beat her ass, but no witnesses cited in the police report confirmed that version of events. She was arrested and charged with intimidation. The woman said she had post traumatic stress disorder from her service in Afghanistan.

In December, 2009, we received a report from BPD about a break-in at a church. Someone had taken money from the church's safe and had spray-painted pentagrams, "heil Satan," euro signs, dollar signs and upside down crosses on the walls. BPD investigated.

In January, 2010, we received a report from BPD about vandalism. While a woman was out of town, someone carved the words "lesbian bitch" on the front door of her apartment. She knew of no one who would do this to her and thought it might have been a mistake. BPD investigated.

In January, 2010, we received a report from BPD about harassment. A woman said that she had been receiving harassing phone calls and texts from a man who had once visited her apartment with her cousin. She said he had told her that he likes to come over because when he watched her and her significant other, a woman, he "gets hard." He asked her if she really was a lesbian and said he likes to masturbate at the thought of her. He had repeatedly sent her inappropriate pictures of his "private area," which she had deleted. She did save one message from him in which he said he had a new phone number, but that number turned out to be inaccurate. BPD advised her to keep any additional messages and to talk to the phone company about having that number blocked.

In January, 2010, we received a report from BPD about graffiti. Someone had painted racial slurs and swastikas on a government building. BPD investigated. The graffiti was removed.

In February, 2010, we received a report from BPD about a battery. A man said he was sitting in a parking lot at a bar at about 3 a.m., waiting to pick up his sister. A man walking by asked for a ride; he said he couldn't give him a ride, and the passerby said, "You must be a Jew." The man got out of his car and the passerby hit him in the face. He managed to restrain the passerby and told him he would let him go if he would leave. The passerby said he would; the man let him go, and the passerby hit him a second time in his face. BPD arrested the passerby.

In February, 2010, we received a report from BPD about a theft. A man said he had lost his iPhone, possibly at a party. Someone used his phone to post comments on his

facebook account. One comment said, "I admit I am gay and I love the taste of semen." The owner of the phone posted a comment on his facebook page saying, "Give me my phone back." The person with the phone responded by posting another comment that said, "Ransom, I'm only giving the phone back if (the owner of the phone) admits he is gay." He later left another message that said, "Kiss my dick, bitch." The owner of the phone did not know who would do this; the party was quite large and the host did not know everyone who attended. When the police officer tried to call the missing phone, it went straight to voice mail.

In April, 2010, we received a report from BPD about an incident that involved a firearm. An African American man and his white girlfriend went to look at a car for sale. While they were looking at it, a white man stared at them and "mean mugged" them. Then the white man came over, said he "was a true honky," and said he was going to "put a cap in [his] ass." The white man pulled a gun out of his waistband. The couple ran to a nearby apartment and called the police. Police found a gun in the bushes nearby; the serial numbers had been filed off. The white man initially told the police that he didn't know what had happened, that he had just woken up and the next thing he knew, he was arrested. Then he said that the African American man, whom he repeatedly called a "nigger," had asked him what he was staring at. He said he told the African American man that he was not staring at him and that he was not worth staring at, that he was looking through him at the police who were nearby. He said at that point, they exchanged words, and he was not going to back down from the black man. He said that was white people's problem today, they always back down from black people and that is why white people always get walked on. He denied owning a gun and said he was scared of handguns. He said the gun the police found was not his. He was charged with possession of a firearm by a serious violent felon (because he had a record), intimidation with a deadly weapon, possession of a firearm without serial numbers and possession of a firearm without a permit.

In April, 2010, we received a report from BPD about intimidation. A woman said her neighbor had yelled anti-Semitic slurs at her and threatened her. Officers talked to the man, who said he had problems with the neighbors because they always called the police on him, but that "was ok because they were just a bunch of Jews anyway." There was a warrant out for the neighbor so he was arrested for intimidation and for the outstanding warrant.

In May, 2010, we received a report from BPD about vandalism to a vehicle. A woman said that she had been harassed by another woman and had reported these harassments to the police. She then received a text message from another person saying that if she was "going to call the police on my girl then when she saw her out that her ass was hers" and calling the woman a hoe. The woman reporting this incident did not know who had sent the text message but believed it was connected to her calling the police about the woman who had been harassing her. As the police talked to the woman who reported the text message, a man reported that the woman who had been accused of harassment had vandalized his car. She had taken a rock and scratched the word "fag" in the hood of the car. BPD talked to the accused harasser, who denied having harassed the woman and

denied having been responsible for the text message, but who admitted having vandalized the car. She said that the man had been driving through the neighborhood too fast, possibly under the influence of alcohol. This made her mad and so she scratched the word on the car. She was charged with criminal mischief.

In June, 2010, we received a report about harassment from BPD. An African American man said he had been harassed by a member of the public, a white man. He said that the white man yelled "nigger" at him and left the facility where he works. The next day, the white man came back and said, "You're up here again, nigger?" Then the white man used some additional profanities, said he didn't know "Bloomington let niggers work here" and that there was no place in America for him. The African American man said this made him angry. He in turn said that there might not be room in America for him, but there was a place for him with the white man's girlfriend, who was in the white man's vehicle. He told the white man what time he got off work, and the white man said he would be there to kill him at that time. Police investigated, warned the white man not to return and filed charges.

In June, 2010, we received a report from BPD about a battery. An African American man said he was walking home with a friend at 2:30 a.m. Three white male passersby shouted "Hey Nigger" and other derogatory comments. An "intense verbal argument" followed, after which the white man hit the African American man and his friend. He did not report the incident for a couple of days, when he went to the hospital and found out he had a broken jaw and multiple abrasions to his eye, cheek, collar bone and forehead. BPD investigated.

In June, 2010, we received a report from BPD about a battery. A white man said he had heard a noise at his back door. When he went out to investigate, he found a boy with a super soaker squirt gun. The boy squirted the man. The man took the squirt gun; the boy said, "Take it, mother fucker, I stole it anyway." He went back in the house; he said the boy continued to use profanities and started throwing rocks at the house. One of the rocks hit the man's daughter. He told the boy he was going to call the police, and the boy said, "Fuck you, nigger." The boy told BPD that the man had yelled profanities at him and called him "nigger." He said he had thrown rocks but none of the rocks hit the girl. The boy was referred to juvenile probation.

BLOOMINGTON HUMAN RIGHTS COMMISSION

STEPS IN PROCESSING A FORMAL COMPLAINT

1. Complainant who believes he/she has been discriminated against makes an appointment with the staff.
2. The director or assistant interviews the complainant to determine if the BHRC has jurisdiction. If we do, the complaint is written, signed and notarized. If not, the complainant is referred to the appropriate agency.
3. The respondent is notified of the complaint by certified mail and has 20 days to respond.
4. The case is assigned to a commissioner, who will investigate the complaint along with the director.
5. The director and investigating commissioner collect and summarize the facts. They interview both parties and witnesses, do legal research and collect documentation to obtain the best evidence available for each side.
6. If the respondent wishes to settle the complaint before an investigation is completed, the director and investigating commissioner strive to mediate a settlement between the complainant and respondent. This agreement must then be approved by the full BHRC.
7. If the case is not settled, the director and investigating commissioner, after a complete investigation, make a determination that probable cause or no probable cause exists to believe discrimination has occurred.
8. Both parties are notified of the finding.
9. If the finding was no probable cause, the complainant has 10 days in which to file a written appeal with the chair of the BHRC. A hearing is then held and the chair has 20 days to either uphold the finding or overturn the finding. If the finding is overturned, then the case proceeds to negotiations as if probable cause had been found originally.
10. If the finding is probable cause, the director and investigating commissioner attempt to negotiate a settlement that is agreeable to both parties. If the attempt is unsuccessful, the BHRC will hold a formal public hearing. The BHRC's decision after the hearing can be appealed to court by either party.



OUT OF THE MOUTHS OF BABES

Each year the BHRC sponsors an essay/art contest for local school-age children. This year the theme for grades 1 – 4 was “Being Kind to Each Other: The Best Example I Know.” The theme for grades 5 – 8 was “Civil Conversations: Getting Along in Our Diverse Community.” The following are excerpts from some of this year’s winning essays.

- ♦ “Imagine if everyone is alike. Our lives would no longer be interesting. If we were all the same then the world would not be unique. Imagine if all the flowers were the same, all the trees, etc.”
- ♦ “Responsibility is another way of being kind. Like taking care of your desk space in school so your teacher doesn’t have to clean up the stuff that’s under your desk.”
- ♦ “Difference of opinion isn’t a problem on its own, actually difference of opinion is one of the most natural and harmless things on the planet; it is how these differences are handled that causes problems. During war it is impossible to hold a civil conversation with those you disagree with.”
- ♦ “Everyone must take charge and be more conscious of what they say and how they say it. We all have to be the change that we want to see in the world. Every day is an opportunity to practice the civil conversations and behaviors that we want to see in ourselves and others.”

2010 Essay Winners

Nina Castro-Sauer
Matthew Landgraf

Ingle Makemson
Ciabhan Connelly

Kwadwo Assensoh
Katherine Tilghman

2010 Art Winners

Mrs. Smith’s Third Grade
Lucia Davila
Toudora Galuska
Layla Moore
Becca Smith

Ben Woolford
Adam Diersing
Gabriel Bruner
Stella Winterman
Amy Moore
Dashiell Schonemann-Poppeliers

Robby Gonyea
Milo Roeder
Livingston Assensoh
Laura Mitchell
Anna Deckard

**BLOOMINGTON HUMAN RIGHTS COMMISSION
2010 BUDGET**

	<u>APPROPRIATED</u>	<u>SPENT</u>
BUDGET TOTAL		
Salary	\$140,500.00	\$140,500.00
Employee benefits	\$39,053.00	\$39,053.00
Office supplies	343.00	343.00
Law library	2,330.00	2,330.00
Instruction	396.00	295.00
Consultants and workshops	350.00	234.00
Telephone	99.00	163.53
Travel	297.00	288.00
Printing	3,300.00	2,778.00
Advertising	248.00	245.63
Dues, subscriptions, memberships	297.00	297.00
Essay/art contest	1,114.00	1,114.00
Total:	\$188,327.00	\$187,641.16

2011 BLOOMINGTON HUMAN RIGHTS COMMISSION

MEETING DATES

January 24, 2011	5:30 p.m.	McCloskey Room
February 28, 2011	5:30 p.m.	McCloskey Room
March 28, 2011	5:30 p.m.	McCloskey Room
April 25, 2011	5:30 p.m.	McCloskey Room
May 23, 2011	5:30 p.m.	McCloskey Room
June 27, 2011	5:30 p.m.	McCloskey Room
July 25, 2011	5:30 p.m.	McCloskey Room
August 22, 2011	5:30 p.m.	McCloskey Room
September 26, 2011	5:30 p.m.	McCloskey Room
October 24, 2011	5:30 p.m.	McCloskey Room
November 28, 2011	5:30 p.m.	McCloskey Room
*December 19, 2011	5:30 p.m.	McCloskey Room

The Human Rights Commission usually meets every fourth Monday of the month, with the exception of the December meeting which will take place on the third Monday of the month.

Meetings will be held in the Showers Building, 401 N. Morton St., McCloskey Conference Room #135, on the first floor. The public is welcome to attend.

FORMER COMMISSIONERS

1960s

Rev. E. Daniel Butler
Mrs. David Dansker
Jack N. Ray
Dr. Harry Yamaguchi
William H. Andrews
Rev. Robert Kirk, Sr.
Rev. A. Hardy Nall, Jr.

David S. McCrea
Dustin McDonald
Mrs. Betty Rowan
Robert F. Terry
Regina Friedman
Irving Fell
Mrs. Russell DeMotte

Bill Hayes
Dr. Harry Day
Samuel M. Loescher
E.E. Bridgewaters
Rev. Joe Emerson
Brad Bayliss
Craig Tregilgas

1970s

Frank Thomas
Clarence Gilliam
Dr. Joseph Russell
Dr. Jerry Ruff
La Verta Terry
Father Robert Borchertmeyer
Joan Simkowitz
William Jairrels
Wilanna Smith
John Irvine
Tobiatha Eagleson
Viola Taliaferro

Howard Canada
Christine Iannucilli
Daniel Gad
Valerie Tarzian
Robert Tucker
Frederick LaCava
Christine Mitchell
William Gephart
Mary Mitchell
Ronald Foley
Fran Koski
Robert Epps

Jorge Oclander
Mary Foster
Tula Kavadias
Mark Schenk
Charles Webster
Quincy Erickson
Mary Hayes
Rev. Joseph Walker
Richard Randall
Rev. William Webster
David Jimenez
Robert Cole

1980s

Robert Cole
John Pickel
Quincy Erickson
Tobiatha Eagleson
Ron Foley
George Foster
Tula Kavadias
Christine Mitchell
Jorge Oclander
Doris Sims

Bob Tucker
Ben Waxler
Frona Powell
Nora Peoples
Lorraine Rodts
Lorelei Meeker
Bridget McKinney
Chris Gardner
Jerry Vuke
Wilanna Smith

Roscoe Ellis
Bob Dunn
Edwin McClean
Rev. Charles Rogers
Mary Ellis
Wanda Reisz
Lauren Robel
Cassandra McConn
John Pickell

1990s

Harry Yamaguchi
Mary Ellis
George Foster
Henry Hofstetter
Steve Sanders
Dr. Michael Wenzler
Alan Yip

Marie Phillips
Charlie Laganza
Barbara Fawcett
Bob Dunn
Lauren Robel
Rev. Greg Wilson
Barbara Wolf

Patty Muller
Doug Bauder
Dr. Fritz Lieber
Gwen Jones
Rev. Michael Anderson
Jack Hopkins
David Reidy

2000s

Dr. Fritz Lieber
Steve Sanders
Vicki Pappas
Pam Huggins
Jeff Harlig

David Reidy
Josh Cazares
Doug Bauder
Nancy Metz
Maria del Pilar File-Muriel

Rev. Michael Anderson
Melanie Castillo-Cullather
Suzette Sims
Shaunica Pridgen